



Atty Dkt No. PP1397.105  
2302-1397.01  
PATENT

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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

O'HAGAN et al.

Serial No.: 09/935,466

Group Art Unit: 1648

Filing Date: August 20, 2001

Examiner: S. Brown

Title: USE OF MICROPARTICLES COMBINED WITH SUBMICRON OIL-  
IN-WATER EMULSIONS

177

TERMINAL DISCLAIMER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. I, Roberta L. Robins, state that I am an attorney of record in the above-captioned application and am a representative authorized to sign this document on behalf of Chiron Corporation, the assignee for this invention.

2. The assignee is Chiron Corporation, a Delaware corporation, having an address at 4560 Horton Street, Emeryville, California 94662-8097.

3. The assignee is the owner of the entire right, title and interest in and to application U.S. Serial No. 09/935,466, filed August 20, 2001, by virtue of an assignment recorded on August 24, 2000 at Reel 011060, Frame 0256, and is also the owner of the entire right, title and interest in and to U.S. Patent No. 6,086,901 filed January 29, 1998 and issued July 11, 2000, by virtue of an assignment recorded on August 24, 2000 at Reel 011060, Frame 0256, and is also the owner of the entire right, title and interest in and to U.S. Patent No. 6,306,405, filed May 2, 2000 and issued October 23, 2001, by virtue of an assignment recorded on August 24, 2000 at Reel 011060, Frame 0256.

4. In accordance with 37 C.F.R. §3.73(b), the undersigned hereby certifies that the evidentiary documents with respect to assignee's ownership, a copy is appended hereto, have been reviewed and that, to the best of her knowledge and belief, title is in the assignee seeking to take this action.

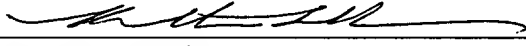
5. The assignee hereby disclaims the terminal part of any patent granted on the above-captioned application Serial No. 09/935,466 which would extend beyond the expiration date of U.S. Patent Nos. 6,086,901 and 6,306,405, except as provided below, and agrees that any patent granted on the above-captioned application 09/935,466 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,086,901 and 6,306,405, this agreement to run with any patent granted on the above-captioned application Serial No. 09/935,466 and to be binding upon the grantee, its successors or assigns.

6. In making this disclaimer, the assignee does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 09/935,466 that would extend to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent Nos. 6,086,901 and 6,306,405 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Atty Dkt No. PP1397.105  
USSN: 09/935,466  
PATENT

7. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 18-1648.

Executed at Menlo Park, California

By:   
Roberta L. Robins

Title: Attorney of Record

Date: 2/28/02



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 27, 2000

PTAS

CHIRON CORPORATION  
ANNE S. DOLLARD  
INTELLECTUAL PROPERTY - R440  
P.O. BOX 8097  
EMERYVILLE, CA 94662-8097



\*101459205A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/24/2000

REEL/FRAME: 011060/0256  
NUMBER OF PAGES: 10

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
O'HAGAN, DEREK

DOC DATE: 06/07/2000

ASSIGNOR:  
VAN NEST, GARY

DOC DATE: 06/08/2000

ASSIGNOR:  
OTT, GARY S.

DOC DATE: 07/18/2000

ASSIGNOR:  
SINGH, MANMOHAN

DOC DATE: 08/14/2000

ASSIGNEE:  
CHIRON CORPORATION  
4560 HORTON STREET - R440  
EMERYVILLE, CALIFORNIA 94608-2916

SERIAL NUMBER: 09015736  
PATENT NUMBER: 6086901

FILING DATE: 01/29/1998  
ISSUE DATE: 07/11/2000

DOCKETED on/by 11/7/00 am  
Atty. ASD PA  
File # PPO 1397.002  
Due Date  
Final Date

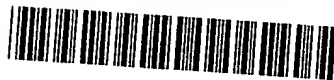
011060/0256 PAGE 2

JACQUELINE MOORE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

M2D.8.24-00



09-18-2000



101459205

PATENT

ty. Docket No. 1397.002

03 AUG 24 PM 12: 29

OPR/FINANCE IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Derek O'Hagan et al.

Batch No.: I88

Serial No.: 09/015,736

Group Art Unit: 1631

Filed: January 29, 1998

Examiner: M. Zeman

For: USE OF MICROPARTICLES COMBINED WITH SUBMICRON OIL-  
IN-WATER EMULSIONS

ASSIGNMENT DOCUMENT COVER LETTER

Box Assignment

Assistant Commissioner for Patents

Washington, D.C. 20231

1. The accompanying assignment covers the patent or application identified above.

X No other patents or applications are covered by the assignment.

Other patents and/or applications covered by the assignment as shown on the  
attached LIST OF PATENTS AND/OR APPLICATIONS COVERED BY  
ASSIGNMENT.

NAMES OF PARTY MAKING TRANSFER

2. Name 1: Derek O'Hagan  
Name 2: Gary Van Nest  
Name 3: Gary S. Ott  
Name 4: Manmohan Singh

I hereby certify that this correspondence is being  
deposited with the United States Postal Service as  
First Class mail in an envelope addressed to: Assistant  
Commissioner for Patents, Washington, D.C. 20231,

on this 24 day of August, 2000.  
By [Signature]

09/18/2000 JJALLAH2 00000261 09015736

01 FC:581

40.00 OP



PATENT  
Atty. Docket No. 1397.002

**IDENTITY OF PARTY TO WHOM TRANSFER IS MADE**

3. Transfer is being made to:

Chiron Corporation  
4560 Horton Street - R440  
Emeryville, CA 94608-2916  
United States of America

**INTENTION OF DOCUMENT**

4. The accompanying document is an:

<u>X</u>	Assignment (original)	___	License
___	Security Interest	___	Other

X Execution Date(s): June 7, 2000, June 8, 2000, July 18, 2000, and  
August 14, 2000

**FEE PAYMENT**

5. Total fee due \$40.00

\_\_\_ Charge Deposit Account No. 03-1664 in the sum of \$40.00.

X Enclosed is a check for \$40.00.

X The Commissioner is hereby authorized to charge any additional fees  
which may be required or credit any overpayment to Deposit Account No.  
03-1664. THIS IS NOT AN AUTHORIZATION FOR PAYMENT OF  
ANY ISSUE FEES.



PATENT  
Atty. Docket No. 1397.002

**ADDRESS TO WHICH DOCUMENT SHOULD BE RETURNED  
AFTER RECORDAL BY PTO**

6. Please return the recorded document to:

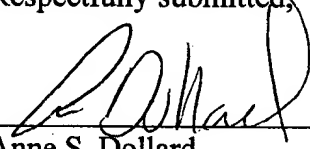
CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94662-8097  
United States of America

**STATEMENT BY THE PARTY**

7. I hereby submit that, to the best of my knowledge and belief, the information contained herein is true and correct and any copy submitted herewith is a true and correct copy of the original document.

Respectfully submitted,

By: \_\_\_\_\_

  
Anne S. Dollard  
Attorney for Applicants  
Reg. No. 43,935

August 17, 2000

CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94662-8097  
(510) 923-2718  
(510) 655-3542 (fax)

Total number of pages comprising cover sheet: 10 (cover Letter plus Original Assignment)



**ASSIGNMENT**

WHEREAS, *We*, **DEREK O'HAGAN, GARY VAN NEST, GARY S. OTT, and MANMOHAN SINGH**, hereinafter referred to as **ASSIGNORS**, have co-invented certain improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **USE OF MICROPARTICLES COMBINED WITH SUBMICRON OIL-IN-WATER EMULSIONS**

Date of Execution: June 7, 2000, June 8, 2000, and July 18, 2000

Filing Date: January 29, 1998

Serial No: 09/015,736

WHEREAS, **CHIRON CORPORATION**, located at 4560 Horton Street, Emeryville, California 94608-2916, hereinafter referred to as **ASSIGNEE**, is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to **ASSIGNORS** by **ASSIGNEE**, receipt of which is hereby acknowledged, **ASSIGNORS** have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **ASSIGNEE**, and **ASSIGNEE'S** successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions (including conversions claiming priority under 35 U.S.C. § 119(e)), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said **ASSIGNEE** as fully and exclusively as it would have been held and enjoyed by said **ASSIGNORS** had this assignment and transfer not been made, to the full end and term of any Letters Patent.

**ASSIGNORS** also agree that the U.S. serial number and the filing date may be entered above by **ASSIGNEE** or its agents upon designation of the serial number and the filing date by the U.S. Patent and Trademark Office.

ASSIGNORS further agree that they will, without charge to said ASSIGNEE, but at ASSIGNEE'S expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE, or ASSIGNEE'S successors and assigns.

IN TESTIMONY WHEREOF, ASSIGNORS have hereunto signed their names to this assignment on the dates indicated below.

INVENTOR: DEREK O'HAGAN

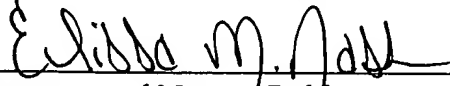
DATE 6.7.00

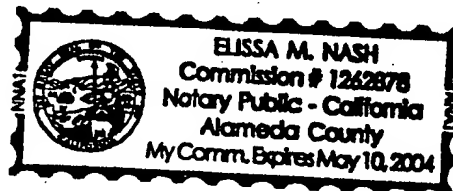
  
Signature

State of California  
County of Alameda

On 6/8/00 before me, Elissa M. Nash, Notary Public,  
personally appeared Derek O'Hagan, personally known to me OR proved  
to me on the basis of satisfactory evidence to be the person whose name is subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity (yes), and that by (his)/her/their signature (s) on the  
instrument the person (s), or the entity upon behalf of which the person (s) acted, executed  
the instrument.

WITNESS my hand and official seal.

  
Signature of Notary Public



Notary Seal

INVENTOR: GARY VAN NEST

DATE \_\_\_\_\_  
Signature

State of California  
County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_, personally known to me OR proved  
to me on the basis of satisfactory evidence to be the person whose name is subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed  
the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

Notary Seal

PATENT  
U.S. No. 09/015,736  
Attorney Docket No. 1397.002

INVENTOR: GARY S. OTT

DATE 6/8/00

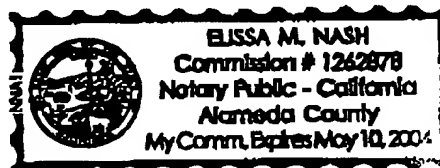
Gary S. Ott  
Signature

State of California  
County of Alameda

On 6/8/00 before me, Elissa M. Nash, Notary Public,  
personally appeared GARY OTT, ~~personally known to me OR~~ proved  
to me on the basis of satisfactory evidence to be the person whose name is subscribed to the  
within instrument and acknowledged to me that ~~he/ she/ they~~ executed the same in  
his/ her/ their authorized capacity(ies), and that by his/ her/ their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed  
the instrument.

WITNESS my hand and official seal.

Elissa M. Nash  
Signature of Notary Public



Notary Seal

INVENTOR: MANMOHAN SINGH

DATE 18<sup>th</sup> July 2000

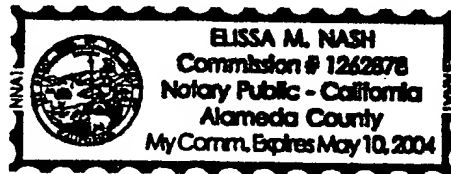
Manmohan Singh  
Signature

State of California  
County of Alameda

On 7/18/00 before me, Elissa M. Nash, Notary Public,  
personally appeared Manmohan Singh, personally known to me OR proved  
to me on the basis of satisfactory evidence to be the person whose name is subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed  
the instrument.

WITNESS my hand and official seal.

Elissa M. Nash  
Signature of Notary Public



Notary Seal

ASSIGNMENT

WHEREAS, We, DEREK O'HAGAN, GARY VAN NEST, GARY S. OTT, and MANMOHAN SINGH, hereinafter referred to as **ASSIGNORS**, have co-invented certain improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: USE OF MICROPARTICLES COMBINED WITH SUBMICRON OIL-IN-WATER EMULSIONS

Date of Execution: August 14, 2000

Filing Date: January 29, 1998

Serial No: 09/015,736

WHEREAS, **CHIRON CORPORATION**, located at 4560 Horton Street, Emeryville, California 94608-2916, hereinafter referred to as **ASSIGNEE**, is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

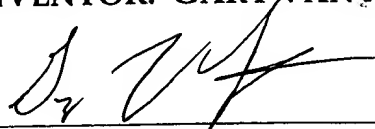
NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to **ASSIGNORS** by **ASSIGNEE**, receipt of which is hereby acknowledged, **ASSIGNORS** have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **ASSIGNEE**, and **ASSIGNEE'S** successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions (including conversions claiming priority under 35 U.S.C. § 119(e)), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said **ASSIGNEE** as fully and exclusively as it would have been held and enjoyed by said **ASSIGNORS** had this assignment and transfer not been made, to the full end and term of any Letters Patent.

**ASSIGNORS** also agree that the U.S. serial number and the filing date may be entered above by **ASSIGNEE** or its agents upon designation of the serial number and the filing date by the U.S. Patent and Trademark Office.

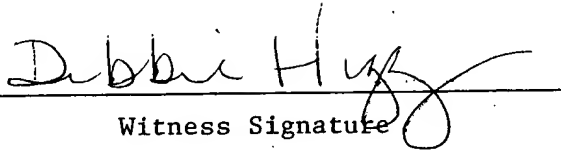
INVENTOR: GARY VAN NEST

DATE

8/17/00



Signature



Witness Signature